

Old Republic National Title Insurance Company

Commitment Number: 0810293

SCHEDULE A

1. Commitment Date: September 25, 2008 at 08:00 AM
2. Policy (or Policies) to be issued: Policy Amount
 - (a) Owner's Policy (ALTA Own. Policy 06/17/06)
Proposed Insured:
 - (b) Loan Policy (ALTA Loan Policy 06/17/06)
Proposed Insured:
 - (c) ()
Proposed Insured:
3. Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by:
State of Michigan
4. The land referred to in the Commitment is described as follows:
Land in the City of Kalamazoo, Kalamazoo County, Michigan:

Commencing at the center quarter post of Section 27, Town 2 South, Range 11 West, thence running South 89° 52' East along the East and West quarter line of said Section 99.10 feet to a point on the Easterly line of the New York Central Railroad right of way (formerly the L. S. & M. S. Railroad right of way) for the place of beginning of the land hereinafter described, thence South 10° 37' East along the Easterly line of the New York Central Railroad right of way (formerly the L. S. & M. S. Railroad right of way) 619.05 feet; thence South 13° 29' East along the Easterly line of said right of way 475.02 feet to a jog in said right of way; thence South 89° 24' East along said jog and in continuation thereof 617.89 feet, thence North 36° 37' West 867.63 feet; thence North 5° 57' West 34.86 feet; thence South 79° 31' East 83.84 feet; thence North 0° 11' West 277.05 feet; thence North 48° 39' East 60.49 feet; thence South 85° 59' East 187.72 feet; thence North 6° 18' West 54.96 feet to the East and West quarter line of said section; thence South 89° 52' East along the East and West quarter line of said section, 112.63 feet; thence North 1° 37' West 745.17 feet; thence North 89° 52' West parallel to the East and West quarter line of said section 440.87 feet; thence South 0° 5' East 47.5 feet; thence North 89° 52' West parallel to the East and West quarter line of said section 65.4 feet; thence South 31° 53' West 77.85 feet; thence South 76° 21' West 26.9 feet; thence North 83° 31' West 113.4 feet to the Easterly side of said railroad right of way; thence South 3° 23' West along the Easterly line of the New York Central Railroad right of way 638.50 feet to the place of beginning. Except the parcel commencing at the center quarter post of Section 27, Town 2 South, Range 11 West, thence running South 89° 52' East along the East and West quarter line of said section 99.10 feet to a point on the Easterly line of the New York Central Railroad right of way (formerly the L. S. & M. S. railroad right of way): thence North 03° 23' East 638.50 feet; thence South 83° 31' East 113.4 feet; thence North 76° 21' East 26.9 feet; thence North 31° 53' East 77.85 feet; thence South 89° 52' East parallel to the East and West quarter line of said Section, 65.4 feet; thence North 0° 5' West 47.5 feet; thence South 89° 52' East parallel to the East and West quarter line of said Section 91.45 feet; thence South 1° 16' East 130.3 feet; thence South 54° 48' East 23.77 feet for the place of beginning of the land hereinafter described: thence South 81° 45' East 31.7 feet; thence South 38° 37' East 58.53 feet; thence South 8° 20' West 171.23 feet; thence North 81° 45' West 74.29 feet; thence North 8° 18' East 211.21 feet to the place of beginning.

SCHEDULE A
(Continued)

Commitment Number: 0810293

LAMONT TITLE CORPORATION

By: _____
LAMONT TITLE CORPORATION

Old Republic National Title Insurance Company

Commitment Number: 0810293

**SCHEDULE B - SECTION I
REQUIREMENTS**

The following requirements must be met:

1. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
2. Pay us the premiums, fees, and charges for the policy.
3. You must tell us in writing the name of anyone not referred to in this commitment who will get an interest in the land or who will make a loan on the land. We may make additional requirements or exceptions relating to the interest or the loan.
4. Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
5. Submit "Affidavit by Seller or Borrower". Additional requirements may be made or exceptions taken for matters disclosed therein.
6. Payment of all due and payable property taxes and special assessments.

Tax Parcel ID: 06-27-401-001

Taxpayer of record: State of Michigan, Department of Natural Resources

2008 Summer Taxes: exempt

2007 Winter Taxes: exempt

Special assessments: none

Assessed as: 9846 SECTION 27-2-11 COM AT CEN 1/4 POST SEC 27, TH S 89DEG 52MIN E ALG E&W 1/4 LI SD SEC 99.1FT TO A PT ON ELY LI NYC RR R-O-W FOR P.O.B, TH S 10DEG 37MIN E ALG ELY LI NYC RR R-O-W 619.05FT, TH S 13DEG 29MIN E ALG ELY LI SD R-O-W 475.02FT TO A JOG IN SD R-O-W, TH S 89DEG 24MIN E ALG SD JOG & IN CONT THEREOF 617.89FT, TH N 36DEG 37MIN W 867.63FT, TH N 5DEG 57MIN W 34.86FT, TH S 79DEG 31MIN E 83.84FT, TH N 0DEG 11MIN W 277.05FT, TH N 48DEG 39MIN E 60.49FT, TH S 85DEG 59MIN E 187.72FT, TH N 6DEG 18MIN W 54.96FT TO E&W 1/4 LI SD SEC, TH S 89DEG 52MIN E ALG E&W 1/4 LI SD SEC 112.63FT, TH N 1DEG 37MIN W 745.17FT, TH N 89DEG 52MIN W 440.87FT, TH S 0DEG 5MIN E 47.5FT, TH N 89DEG 52MIN W PAR WITH E&W 1/4 LI SD SEC 65.4FT, TH S 31DEG 53MIN W 77.85FT, TH S 76DEG 21MIN W 26.9FT TH N 83DEG 31MIN W 113.4FT TO ELY LI RR R-O-W, TH S 3DEG 23MIN W ALG ELY LI NYC RR R-O-W 638.5FT TO P.O.B. EXC COM 99.1FT E OF CEN 1/4 POST SD SEC 27, RNG TH N ALG ELY R-O-W LI NYC RR 638.5FT, TH S 83DEG 31MIN E 113.4FT, TH N 76DEG 21MIN E 26.9FT, TH N 31DEG 53MIN E 77.85FT, TH S 89DEG 52MIN E 65.4FT, TH N 0DEG 5MIN W 47.5FT, TH S 89DEG 52MIN E 91.45FT, TH S 1DEG 16MIN E 130.3FT, TH S 54DEG 48MIN E 23.77FT FOR P.O.B., TH S 81DEG 45MIN E 31.7FT, TH S 38DEG 37MIN E 58.53 FT, TH S 8DEG 20MIN W 171.23FT, TH N 81DEG 45MIN W 74.29 FT, TH N 8DEG 18MIN E 211.21FT TO P.O.B.

Old Republic National Title Insurance Company

Commitment Number: 0810293

**SCHEDULE B - SECTION II
EXCEPTIONS**

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. Any discrepancies or conflicts in boundary lines, any shortages in area, or any encroachment or overlapping of improvements.
2. Any facts, rights, interest or claims which are not shown by the public record but which could be ascertained by an accurate survey of the land or by making inquiry of persons in possession thereof.
3. Easements, liens, or encumbrances or claims thereof, which are not shown by the public record.
4. Any lien, or right to a lien, for services, labor or material imposed by law and not shown by the public record.
5. Taxes and assessments due and payable subsequent to Commitment date.
6. Rights or claims of parties in possession not shown of record.
7. Current and delinquent water and sewer charges.
8. Easements and rights of way as described in legal description attached to Judgment of Rescission entered December 5, 1988 and recorded December 27, 1988 in Liber 1396 Page 659 Kalamazoo County Records.
9. Interest of City of Kalamazoo as described in certificates of sale::
 - (a) dated October 21, 1988 and recorded October 26, 1988 in Liber 1388 Page 563 Kalamazoo County Records (describing delinquent 1987 taxes in the amount of \$2659.13)
 - (b) dated October 19, 1990 and recorded October 26, 1990 in Liber 1478 Page 1442 Kalamazoo County Records (describing delinquent 1989 taxes in the amount of \$5867.71)
 - (c) dated October 19, 1991 and recorded November 18, 1991 in Liber 1530 Page 224 Kalamazoo County Records (describing delinquent 1990 taxes in the amount of \$5687.37)
 - (d) dated October 15, 1992 and recorded November 23, 1992 in Liber 1604 Page 422 Kalamazoo County Records (describing delinquent 1991 taxes in the amount of \$4468.59)
10. Interest of City of Kalamazoo Building Department as described in Notice of Lis Pendens declaring commencement of demolition proceedings:
 - (a) dated July 7, 1981 and recorded July 8, 1981 in Liber 1124 Page 183, and July 15, 1981 in Liber 1124 Page 893, Kalamazoo County Records.
 - (b) dated November 22, 1982 and recorded December 2, 1987 in Liber 1156 Page 811 Kalamazoo County Records.
11. Memorandum of Agreement between Consolidated Rail Corporation, licensor, and US Sprint Communication Company Limited Partnership, licensee, dated September 10, 1991 and recorded November 21, 1991 in Liber 1531 Page 1021 Kalamazoo County Records
12. Rights of the railroad company servicing the railroad siding located on insured premises, if any, in and to

SCHEDULE B - SECTION II**EXCEPTIONS**

(Continued)

Commitment Number: 0810293

the ties, rails and other properties constituting said railroad siding or in and to the use thereof, and also rights of others thereto entitled to the use thereof.

13. Rights of the United States, State of Michigan, riparian owners and the public for commerce, navigation, recreation and fishery, in any portion of the land bordering on or comprising the bed of Bryant Mill Pond.
14. Note: subject property appears to lack access to public road.

Michigan Department of Treasury, LPS
L2349 (Rev. 4-81)

For Register of Deeds

STATE TREASURER DEED

Issued under authority of Section 211.67a, MCL.

154960

ITER 1528 PAGE 1182

STATE OF MICHIGAN
COUNTY OF KALAMAZOO
RECEIVED FOR RECORD

NOV 8 AM 11 50

On this 7th day of May, 1991, the grantor, Douglas B. Roberts, State Treasurer of the State of Michigan, by his authorized representative Donald Bengel, Administrator, Local Property Services Division, Department of Treasury, quit-claims the following described premises to the State of Michigan, whose address is, Department of Natural Resources, Real Estate Division, Lansing, Michigan 48909.

Title became absolute in the State of Michigan by court decree of the Circuit Court named below and nonredemption from the 1990 tax sale within the statutory period. Under section 67a of P.A. 206 of 1893, as amended, the grantor, for and in consideration of the premises, conveys to the grantee, State of Michigan, the following:

James J. Gifford
CLERK-REGISTER

This deed is exempt from Real Estate Transfer Tax under the provisions of Section 207.505 (H), MCL, as amended.

KALAMAZOO

County, State of Michigan.

City of Kalamazoo SN1234

Town 2 South, Range 11 West, Section 27

Com at G4 post th S 89° 52' E alg E&W 11 99.1 ft to a pt on ELY 11 NYC RR row for pob th S 10° 37' E alg ELY 11 NYC RR row 619.05 ft th S 13° 29' E alg ELY 11 row 475.02 ft to a jog in row th S 89° 24' E alg jog & in cont 617.89 ft th N 36° 37' W 867.63 ft N 5° 57' W 34.86 ft S 79° 31' E 83.84 ft N 0° 11' W 277.05 ft N 48° 39' E 60.49 ft S 85° 59' E 187.72 ft N 6° 18' W 54.96 ft to E&W 11 S 89° 52' E alg E & W 11 112.63 ft th N 1° 37' W 745.17 ft N 89° 52' W 440.87 ft S 0° 5' E 47.5 ft N 89° 52' W par with E&W 11 65.4 ft S 31° 53' W 77.85 ft S 76° 21' W 26.9 ft N 83° 31' W 113.4 ft to ELY 11 RR row S 3° 23' W alg ELY 11 NYC RR row 638.5 ft to pob exc com 99.1 ft E of G4 post th N alg ELY row 11 NYC RR 638.5 ft S 83° 31' E 113.4 ft N 76° 21' E 26.9 ft N 31° 53' E 77.85 ft S 89° 52' E 65.4 ft N 0° 5' W 47.5 ft S 89° 52' E 91.45 ft S 1° 16' E 130.3 ft S 54° 48' E 23.77 ft for pob th S 81° 45' E 31.7 ft S 38° 37' E 58.53 ft th S 8° 20' W 171.23 ft N 81° 45' W 74.29 ft N 8° 18' E 211.21 ft to pob SBC 0070420 87

City of Kalamazoo SN1238

Town 2 South, Range 11 West, Section 27

Com 896.75 ft E & 274 ft S of NW cor E 43 ft S 126 ft W 43 ft N 126 ft to beg SBC 0071760 87

City of Kalamazoo SN1239

Town 2 South, Range 11 West, Section 27

Com 939.75 ft E & 274 ft S of NW cor E 42 ft S 126 ft W 42 ft N 126 ft to beg SBC 0071780 87

Witnesses:

Kay R. David
Kay R. David

Donna Landis
Donna Landis

DOUGLAS B. ROBERTS, State Treasurer

By

Donald Bengel
Donald Bengel

L.S. (Seal)

Drafted by

Deborah L. Hunter

Local Property Services Division
Treasury Building
Lansing, Michigan 48922

STATE OF MICHIGAN

) ss

County of Ingham

On this 26th day of August

Donald Bengel, authorized representative of the State Treasurer

1991, the foregoing instrument was acknowledged before me by

My commission expires July 10, 1995

Joan M. Colbert
Joan M. Colbert, Notary Public, Ingham County, Michigan

STATE OF MICHIGAN

LIBER 1396PC0659

IN THE CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

STATE OF MICHIGAN
RECEIVED
DEC 27 3 52 PM '88

23 -
5070

* * * * *

JOSEPH A. CEKOLA and
DOLORES A. CEKOLA

Plaintiffs,

vs.

FILE NO. E88-0782-CZ

GRELAC REAL ESTATE CORPORATION
a Michigan Corporation, J.C. DEBRUYN,
R. BRUCE CARRUTHERS, individually and
as former Receiver of Redker-Young
Holdings, Ltd., REDKER-YOUNG HOLDINGS,
LTD, a Delaware Corporation,
RESOURCES SYSTEMS COMPANY, a Michigan
Corporation, f/k/a REDKER-YOUNG SERVICES,
INC, individually and jointly and
severally,

HON. DONALD M. GOODWILLIE, JR.

Defendants.

MYRA L. WILLIS (P33360)
ROBERT D. MOLLHAGEN (P27784)
400 Kalamazoo Building
Kalamazoo, Michigan 49007

R. BRUCE CARRUTHERS (P11677)
In Pro Per
424 S. Grand Ave.
Lansing, Michigan 48933

CHARLES E. MARTELL (P17129)
Attorney for Grelac Real Estate
and J.C. DeBruyn
621 South Park Street
Kalamazoo, Michigan 49007

JUDGMENT OF RESCISSION AND DISMISSAL OF
DEFENDANTS GRELAC, DEBRUYN AND CARRUTHERS

At a session of said Court, held on
the 5 day of Dec, 1988,
County Building, County of Kalamazoo
and State of Michigan.

PRESENT: HON. DONALD M. GOODWILLIE, JR.

The Court having heard oral argument on Part (A) of Plaintiff's
Motion for Partial Default Judgment and Summary Disposition on December
5, 1988;

IT IS ORDERED THAT:

HOWARD & HOWARD
ATTORNEYS

SUITE 400
THE KALAMAZOO BUILDING
107 WEST MICHIGAN AVENUE
KALAMAZOO MI 49007
616-782-1483

SUITE 110
THE ROSS ROY BUILDING
100 BLOOMFIELD HILLS PARKWAY
BLOOMFIELD HILLS MI 48303
248-645-1483

LIBER 1396PC0660

1. The Court finds that there is no material dispute of fact as to Count IV of the First Amended Complaint which alleges the existence of a mutual mistake of fact relating to the sale of the property which is the subject of this suit. Summary disposition pursuant to MCR 2.116(c)(10) is entered on Count IV of the First Amended Complaint in favor of Plaintiffs and against Defendant Grelac Real Estate Corporation ("Grelac"), J. C. DeBruyn ("DeBruyn"), and R. Bruce Carruthers ("Carruthers").

2. The Buy and Sell Agreement dated February 18, 1982 (Exhibit 1) between Plaintiff Joseph A. Cokola and Defendant R. Bruce Carruthers, as Receiver for Defendant Redker-Young Holdings, Ltd., is rescinded void ab initio due to the mutual mistake of fact;

3. The Receiver's Deed dated April 2, 1982 (Exhibit 2) is rescinded void ab initio due to the mutual mistake of fact;

4. The relief granted pursuant to the summary disposition on Count IV is the sole and only relief granted to Plaintiff as to Defendants Grelac, DeBruyn and Carruthers.

5. The relief granted pursuant to the summary disposition on Count IV renders Count I, II and III moot as to Defendants Grelac, DeBruyn, and Carruthers and those Defendants are therefore dismissed with prejudice and without costs or attorneys fees.

6. This Judgment is a final judgment within the meaning of MCR 2.604(A) and the Court expressly determines that there is no just reason for delay of entry.

7. Part (B) of Plaintiffs' Motion which requests a partial

HOWARD & HOWARD
ATTORNEYS

SUITE 400
THE KALAMAZOO BUILDING
107 WEST MICHIGAN AVENUE
KALAMAZOO, MI 49007
(616) 387-1482

SUITE 110
THE ROSS ROY BUILDING
100 BLOOMFIELD HILLS PARKWAY
BLOOMFIELD HILLS, MI 48303
(313) 645-1482

LIBER 1396PC0661

default judgment as to Defendants Redker-Young Holdings, Ltd. and Resources Systems Company, is continued.

DONALD M. GOODWILLIE
Hon. Donald M. Goodwillie, Jr.

Approved as to Form:

SI
R. Bruce Carruthers

SI
Charles E. Martell

SI
Myra L. Willis

HOWARD & HOWARD
ATTORNEYS

SUITE 400
THE KALAMAZOO BUILDING
107 WEST MICHIGAN AVENUE
KALAMAZOO, MI 49007
(616) 387-1483

SUITE 110
THE ROSS ROY BUILDING
100 BLOOMFIELD HILLS PARKWAY
BLOOMFIELD HILLS, MI 48303
(313) 845-1403



STATE OF MICHIGAN
9TH JUDICIAL CIRCUIT
COUNTY OF KALAMAZOO

I, JAMES O. YOUNGS, Clerk of said court do hereby certify that the foregoing is a true and correct copy of the original on file in said court. Signed and sealed this 5th day of December, 19 88.

Andrea Cox
DEPUTY CLERK

ADDENDUM TO AUTHORIZED BUY AND SELL AGREEMENT
of the

KALAMAZOO BOARD OF REALTORS

USER 139600663

DATE February 18, 1982

BUY AND SELL AGREEMENT NO. 83520

THIS ADDENDUM is attached to and made a part of a certain Buy and Sell Agreement between the undersigned parties dated February 18, 1982, covering real estate located in the City of Kalamazoo, Kalamazoo County, Michigan, commonly known as 2403 S. Burdick St. and described by Peter A. Bound see attached legal

as follows:

- A. Seller to provide at closing an Owner's Title policy in the amount of the purchase price insuring marketable title and insuring over all standard exceptions.
- B. Seller to provide a survey certified in 15 days of closing locating all boundaries, improvements, easements and encumbrances on the premises and identifying same by liber and page. The survey shall verify that all improvements Buyer intends to purchase are located within the premises Buyer is purchasing and that no overlaps or encroachments exist. *Periodic surveying may be acceptable, if present*
- C. Seller to discharge all liens on the premises prior to closing. *check*
- D. Seller shall convey to Buyer good and marketable title to all personal property located on or used for the benefit of the premises by a good and sufficient Bill of Sale at time of closing.
- E. This offer must be accepted not later than Friday, February 26, 1982 at 3:00 P.M. or it shall be deemed terminated.
- F. The parties acknowledge that Buyer will deposit the amount of one hundred thirty thousand dollars (\$130,000) within two business days after acceptance by seller of this agreement in an interest earning account with E. F. Hutton Cash Reserve Management account. In Escrow with Grellac Real Estate Corp, as a show of its good faith, which amount shall be a credit against the purchase price at the closing. Buyer shall be entitled in all events, to all interest earned by, or credited to, said account prior to any material default herein by Buyer, whether said deposit is credited to the purchase price at the closing, or returned to Buyer. Such earned interest may be withdrawn by Buyer at any time at its sole discretion. In the event that any of the conditions precedent to Buyers obligation, as set forth in this Agreement, shall not be met, or in the event that Seller shall refuse, or be unable, to close the sale or otherwise breach or default in its obligations contained in this Agreement, then upon submission to the escrow agent, by Buyer, of evidence of such failure of a condition precedent, breach or default on the part of Seller or refusal or inability of Seller to close, the earnest money deposited shall be returned promptly in full to Buyer.

G. Seller represents that the property as described in Exhibit A is served by Rail Siding which is operable and has a rail switch to the main track. Seller will provide proof of same satisfactory to purchaser prior to closing. *see*

H. Purchaser will assume and pay any and all due and outstanding property taxes on the property being purchased *see*

I. Purchaser assumes all responsibility to immediately renovate the school plant building for use as a school under of 1169 Kalamazoo County Council on Education and a copy of which will be furnished per the law.

Witness/Salesman:

BUYER X Joseph Cakota

DATE X 2-18-82

BUYER X

DATE X

EXHIBIT 2

LIBER 1141 PG 435

MAY 1 9 37 AM '87

LIBER 1386 PG 0664

RECEIVED DEED

RECEIVED DEED

THIS DEED, made this 2nd day of April, 1982, between R. BRUCE CARRUTHERS, Receiver for Redker-Young Holdings, Ltd., a Delaware corporation, and with Receiver's address being 230 North Washington Square, Lansing, Michigan, 48933, hereinafter referred to as "Grantor", and JOSEPH A. CEKOLA and DOLORES A. CEKOLA, husband and wife, whose address is 9039 West End Drive, Portage, Michigan 49081, hereinafter referred to as "Grantees".

WHEREAS, R. Bruce Carruthers was appointed Receiver for Redker-Young Holdings, Ltd., a Delaware corporation doing business in Michigan by virtue of an order of the Honorable Robert Holmes Bell, Ingham County Circuit Court Judge, in Docket No. 79-23179-CK on May 1, 1979; and

WHEREAS, said Honorable Robert Holmes Bell, Circuit Judge, did in the aforesaid docket enter an order continuing receivership on January 2, 1980, which order specifically authorized Receiver to assume control over and to protect and preserve certain property generally known as 2403 South Burdick Street, Kalamazoo, Michigan, and which is more fully described in the exhibit attached hereto; and

WHEREAS, said Circuit Court Judge Robert Holmes Bell did, by order of February 27, 1980 authorize the Receiver to offer for sale and sell, on such terms as were approved by court, the real property generally described as 2403 South Burdick Street, Kalamazoo, Michigan; and

WHEREAS, said Circuit Court Judge Robert Holmes Bell did, by virtue of an order of February 24, 1982, consider and approve a certain offer to purchase the aforesaid real estate made by Grantees;

WITNESSETH:

That I, the aforesaid Grantor, as Receiver of Redker-Young Holdings, Ltd., by virtue of the power and authority in me vested

LIBR 139870665

LIBER 1141 p. 436

as aforesaid and in consideration of the sum of One Hundred Thirty Five Thousand Dollars (\$135,000.00) in hand paid by the said Grantees, receipt of which is hereby acknowledged, and in consideration of Grantee's assuming and paying at closing any and all real property taxes now owing on the real property conveyed hereby, do hereby grant, bargain, sell and convey unto the said Grantees, their heirs and assigns, all of that property located in the City of Kalamazoo, County of Kalamazoo, and State of Michigan which is generally known as 2403 South Burdick Street, Kalamazoo, Michigan but which is more fully described in the attached exhibit, to have and to hold all and singular the above granted premises, together with the appurtenances, and every part thereof, subject to any and all easements and restrictions of record, however.

IN WITNESS WHEREOF, the Grantor, Receiver as aforesaid, does
hercunto set his hand on the date first above written.

WITNESSES:

GRANTOR:

h.c.l.

Bruce Carruthers
R. BRUCE CARRUTHERS, Receiver
for Redker-Young Holdings, Ltd.

Kenneth Johnson
KENNETH JOHNSON
STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

The foregoing instrument was acknowledged before me this 1st day of APRIL, 1982, by R. BRUCE CARRUTHERS, Receiver for Redker-Young Holdings, Ltd.

Kathleen M. Frantz
KATHLEEN M. FRANZ Notary Public
Ingham County, Michigan
My commission expires: 12-5-84

Instrument Drafted By:

STEVEN C. HESS.
Attorney for Receiver
230 North Washington Square
PO Box 13066
Lansing, Michigan 48901

When Recorded Return to Robert R. Lennon
900 Industrial State Bank Building
Kalamazoo, Michigan 49006

LIBR 139620668

LIBR 1141 PG 137

Situatd in the City of Kalamazoo, Kalamazoo County, Michigan:

PARCEL A: Commencing at the center quarter post of Section 27, Town 2 South, Range 11 West, thence running South 89° 52' East along the East and West quarter line of said Section 99.10 feet to a point on the Easterly line of the New York Central Railroad right of way (formerly the L. S. & M. S. Railroad right of way) for the place of beginning of the land hereinafter described, thence South 10° 37' East along the Easterly line of the New York Central Railroad right of way (formerly the L. S. & M. S. Railroad right of way) 619.05 feet; thence South 13° 29' East along the Easterly line of said right of way 475.02 feet to a jog in said right of way; thence South 89° 24' East along said jog and in continuation thereof 617.89 feet; thence North 36° 37' West 867.63 feet; thence North 5° 57' West 34.36 feet; thence South 79° 31' East 83.84 feet; thence North 0° 11' West 277.05 feet; thence North 48° 39' East 60.49 feet; thence South 89° 59' East 187.72 feet; thence North 6° 18' West 54.96 feet to the East and West quarter line of said Section; thence South 89° 52' East along the East and West quarter line of said Section, 112.63 feet; thence North 1° 37' West 745.17 feet; thence North 89° 52' West parallel to the East and West quarter line of said Section 440.87 feet; thence South 0° 5' East 47.5 feet; thence North 89° 52' West parallel to the East and West quarter line of said Section 65.4 feet; thence South 31° 53' West 77.85 feet; thence South 76° 21' West 26.9 feet; thence North 83° 31' West 113.4 feet to the Easterly side of said Railroad right of way; thence South 3° 23' West along the Easterly line of the New York Central Railroad right of way 638.50 feet to the place of beginning. Together with a right of way for the purpose of ingress and egress to and from the parcel above described and Alcott Street, said right of way being more particularly described as follows: Commencing at the center quarter post of Section 27, Town 2 South, Range 11 West, thence running South 89° 52' East along the East and West quarter line of said Section 99.10 feet to a point on the Easterly line of the New York Central Railroad right of way (formerly the L. S. & M. S. Railroad right of way); thence North 3° 23' East along the Easterly line of said railroad right of way 638.50 feet for a place of beginning; thence South 83° 31' East 20.03 feet; thence North 3° 23' East 173.9 feet; thence North 24° 7' East 36 feet; thence North 1° 20' West 375.61 feet to the Southerly line of Alcott Street; thence South 89° 22' West along the Southerly line of Alcott Street 20 feet; thence South 1° 20' East along the Easterly line of said Railroad right of way 361.95 feet to a jog in said right of way; thence South 89° 22' West along said jog 11.65 feet; thence South 3° 23' West along the Easterly line of said Railroad right of way 217.80 feet to the place of beginning.

Excepting (and reserving) from PARCEL A, however:

(1) The following described parcel (Filter House Parcel):

Commencing at the center quarter post of Section 27, Town 2 South, Range 11 West, thence running South 89° 52' East along the East and West quarter line of said section 99.10 feet to a point on the Easterly line of the New York Central Railroad right of way (formerly the L. S. & M. S. Railroad right of way); thence North 3° 23' East 638.50 feet; thence South 83° 31' East 113.4 feet; thence North 76° 21' East 26.9 feet; thence North 31° 53' East 77.85 feet; thence South 89° 52' East parallel to the East and West quarter line of said Section, 65.4 feet; thence North 0° 5' West 47.5 feet; thence South 89° 52' East parallel to the East and West quarter line of said Section 91.45 feet; thence South 1° 16' East 130.3 feet; thence South 54° 48' East 23.77 feet for the place of beginning of the land hereinafter described; thence South 81° 45' East 31.7 feet; thence South 38° 37' East 58.53 feet; thence South 8° 20' West 171.23 feet; thence North 81° 45' West 74.29 feet; thence North 8° 18' East 211.21 feet to the place of beginning.

(2) A right of way 20 feet in width which is reserved by St. Regis Paper Co. for the purpose of constructing, maintaining, repairing, replacing and removing pipes, conduits, lines and wires of any nature and kind whatever including but not limited to water lines sewer lines, gas lines, oil lines, electrical lines and telephone lines and for means of ingress and egress between the Filter House Parcel and the premises to the North of Parcel A, and which is more particularly described as follows: Beginning at the North-

(Continued on Rider No. 2 attached)

LIBR 13980667

LIBR 1141 438

westerly corner of the above excepted Filter House Parcel and running thence South $8^{\circ} 18'$ West 22.43 feet; thence North $54^{\circ} 48'$ West 44 feet; thence North $1^{\circ} 16'$ West 140.88 feet; thence South $89^{\circ} 52'$ East 20 feet; thence South $1^{\circ} 16'$ East 130.3 feet; thence South $54^{\circ} 48'$ East 23.77 feet to the place of beginning, together with any and all pipes, lines and conduits presently or hereafter located within said right of way and extending into the premises to the North of Parcel A.

(3) A right of way 20 feet in width for the purpose of access for all purposes to that portion of the so-called "Bryant Mill Pond" and property of St. Regis Paper Co. South of the East and West quarter line of Section 27, Town 2 South, Range 11 West, and which right of way is more particularly described as follows: Beginning at a point in the East and West quarter line of Section 27, Town 2 South, Range 11 West, 718.97 feet East of the center quarter post thereof; thence North $6^{\circ} 18'$ West 10 feet; thence South $89^{\circ} 52'$ East 103.45 feet; thence North $1^{\circ} 37'$ West 735.17 feet; thence North $89^{\circ} 52'$ West parallel to said East and West quarter line 20 feet; thence South $1^{\circ} 37'$ East 715.17 feet; thence North $89^{\circ} 52'$ West 105.11 feet; thence South $6^{\circ} 18'$ East 83.08 feet; thence South $85^{\circ} 59'$ East 20.33 feet; thence North $6^{\circ} 18'$ West 54.27 feet to the place of beginning; upon condition that any filling or use thereof shall in no wise interfere with a 10 foot bed for the Westerly half of Portage Creek.

(4) And subject to a right of way 20 feet in width granted by St. Regis Paper Company to Thor Corporation by deed dated June 29, 1956 recorded at 713 Deeds on Page 208, Kalamazoo County Records, for the purposes of access to the premises granted by said Deed from and to South Burdick Street, and which is more particularly described as follows: Commencing at the center quarter post of Section 27, Town 2 South, Range 11 West; thence running South $89^{\circ} 52'$ East along the East and West quarter line of said Section 99.1 feet to a point in the Easterly line of the New York Central Railroad right of way (formerly the L. S. & M. S. Railroad right of way); thence South $10^{\circ} 37'$ East along the Easterly line of said Railroad right of way 60.18 feet for the place of beginning of the right of way hereinafter described and continuing thence South $10^{\circ} 37'$ East along the Easterly line of said Railroad right of way 558.87 feet to an angle point in said Railroad right of way; thence south $13^{\circ} 29'$ east along the Easterly line of said Railroad right of way 475.02 feet to a jog in said Railroad right of way; thence South $89^{\circ} 24'$ East along said jog and its continuation Easterly 103.15 feet; thence North $60^{\circ} 24'$ West 109.65 feet to a point 20 feet Easterly as measured at right angles to the Easterly line of said Railroad right of way; thence North $13^{\circ} 29'$ West parallel to the Easterly line of said Railroad right of way 424.74 feet; thence North $10^{\circ} 37'$ West parallel to the Easterly line of said Railroad right of way 542.31 feet; thence North $64^{\circ} 2'$ West 24.91 feet to the place of beginning, together with a right to use in common with St. Regis Paper Company and its successors and assigns the right of way extending Westerly across the New York Central Railroad right of way to the Easterly line of South Burdick Street.

(5) The existing 24 inch water pipeline running in a Northerly and Southerly direction on, over, under and across the above described premises from the premises adjoining on the South to a filter house located on the so-called "filter house parcel", which is exception (1) above, together with an easement in favor of St. Regis Paper Co. for the purpose of maintaining, renewing and replacing the said pipeline with a right of way 10 feet in width on either side of said pipeline for access for such maintenance, renewal, repair, replacement and operation thereof.

(6) A right of way in favor of St. Regis Paper Co. along the Southerly line of Parcel A above described as follows: Commencing at the Southeasterly corner of Parcel A above described and running thence along the Southerly boundary of said Parcel A, North $89^{\circ} 24'$ West 42.5 feet to the point where the said Southerly boundary of Parcel A above described intersects with the Easterly side of the right of way included in the exception described at paragraph (5) above; thence running Northerly along the Easterly line of the right of way included in the exception described at paragraph (5) above, a distance of 20 feet, thence South $89^{\circ} 24'$ East to the Easterly line of said Parcel A, above described; thence South $36^{\circ} 37'$ East along the said Easterly line of Parcel A above described to the Southeasterly corner of said Parcel A, which is the place of beginning. This easement

(Continued on Rider No. 3 attached)

LIBER 139680686

LIBER 1141 PG 439

is excepted for the purpose of maintenance, renewing, repairing, replacement and operation of the 24 inch water pipeline reserved in the exception at paragraph (5) above and making connection therewith if the same is relocated.

(7) The existing 20 inch effluent line located at the edge of the so-called North Bryant Mill Pond, which effluent line runs in a Northerly and Southerly direction through the premises above described with an easement to maintain, renew, repair, and replace the same, together with a right of way in favor of St. Regis Paper Co. 10 feet in width on each side of the present effluent line for access to said line for the purpose of maintenance, renewal, repair, replacement and operation thereof, and also with an additional right of way 10 feet in width on the Easterly side thereof with a right for an easement to lay, therein, thereon, thereover and thereunder and maintain an additional effluent line or lines therein, thereon, thereover and thereunder and for access for maintenance, renewal, repair, replacement and operation thereof. Said Parcel A, however, being subject also to easements granted by St. Regis Paper Company to the City of Kalamazoo by an indenture dated July 9, 1958, and recorded on July 25, 1958 at Liber 749 Deeds, Page 521, Kalamazoo County Records; and by an indenture dated July 25, 1958, at Liber 749 Deeds, Page 524, such easements given for the purpose of constructing and maintaining sanitary sewer lines along routes described in the said indentures.

PARCEL B: Commencing at the South quarter post of Section 27, Town 2 South, Range 11 West, thence running along the Southerly line of Section 27, Town 2 South, Range 11 West to a point on the Southerly line of said Section 1013.62 feet East of the South quarter post; thence North 16° 7' West 171.22 feet for a place of beginning; thence North 76° 29' East 75.08 feet; thence South 16° 7' East 100.22 feet to the center line of Portage Creek; thence Southwesterly along the center line of Portage Creek 75.28 feet; thence North 16° 7' West 90.95 feet to the place of beginning. Together with a right of way for the purpose of ingress and egress to and from the parcel above described and Cork Street, said right of way being 20 feet in width and lying adjacent to and along the Northerly bank of Portage Creek.

PARCEL C: A right of way for the purpose of constructing, maintaining, replacing, repairing and renewing pipe lines for the transmission of water, gas, sewage and electricity as are necessary to operate a pump house on Parcel B above described and obtain water from Portage Creek for usage on Parcel A above described which easement was reserved from a Lease Agreement between St. Regis Paper Company and Thor Corporation dated June 29, 1956 a memorandum of which was recorded at Liber 715 Deeds, Page 212 Kalamazoo County Records; said right of way being more particularly described as follows: Commencing at a point in the East and West quarter line of Section 27, Town 2 South, Range 11 West; 728.97 feet East of the center quarter post thereof and running thence South 6° 18' East 54.96 feet; thence North 85° 59' West along the Bank of Bryant Mill Pond 187.72 feet; thence South 48° 39' West along the Bank of said Mill Pond 60.49 feet; thence South 0° 11' East along the Bank of said Pond 277.05 feet; thence North 79° 31' West 63 feet for the place of beginning of the right of way herein described and continuing thence North 79° 31' West 20.84 feet; thence South 5° 57' East 34.86 feet; thence South 36° 37' East 867.63 feet; thence South 89° 24' East 27.33 feet; thence South 13° 31' East 1379.43 feet; thence South 76° 29' West 249.76 feet; thence South 16° 7' East 20.02 feet; thence North 76° 29' East 270.67 feet; thence North 13° 31' West 1394.38 feet; thence North 48° 16' West 90.3 feet; thence North 36° 37' West 802.77 feet; thence North 5° 57' West 23.5 feet to the place of beginning.

CITY OF KALAMAZOO, MICHIGAN

NO. 244 CERTIFICATE OF SALE

STATE OF MICHIGAN)

County of Kalamazoo)

SS.:

LIBER 1388700563

I, Dale V. Hartgerink, City Treasurer of the City of Kalamazoo do hereby certify that I did, on the 17 day of OCTOBER, 1988, pursuant to Section 89 of the City of Kalamazoo, sell to the City of Kalamazoo, Michigan, by bid of the City Auditor, the lien of the City and the liability for taxes and/or assessments herein enumerated on the real estate herein described, and further sold and assigned and do hereby sell and assign to the City of Kalamazoo, Michigan, a municipal corporation organized and existing under the laws of the State of Michigan, 241 West South Street, Kalamazoo, Michigan, the lien of the City and liability for said taxes and/or assessments on the following described real estate located in the City and County of Kalamazoo, State of Michigan, to-wit:

DESCRIPTION OF REAL ESTATE

AMOUNT OF LIEN AND LIABILITY

0070420

1987 CITY \$ 2,659-13

9346 SECTION 27-2-11 COM AT CEN 1/4 POST SEC 27, TH S 89DEG 52MIN E ALG E&W 1/4 LI SD SEC 99.1FT TO A PT ON ELY LI NYC RR R-O-W FOR PL OF BEG, TH S 10DEG 37MIN E ALG ELY LI NYC RR R-O-W 619.05FT, TH S 130DEG 29MIN E ALG ELY LI SD R-O-W 475.02FT TO A JOG IN SD R-O-W, TH S 89DEG 24MIN E ALG SD JOG & IN CONTINUATION THEREOF 617.89FT, TH N 36DEG 37MIN W 867.63FT, TH N 5DEG 57MIN W 34.86FT, TH S 79DEG 31MIN E 83.84FT, TH N 0DEG 11MIN W 277.05FT, TH N 48DEG 39MIN E 60.49FT, TH S 85DEG 59MIN E 187.72FT, TH N 6DEG 18MIN W 54.96FT TO E&W 1/4 LI SD SEC, TH S 89DEG 52MIN E ALG E&W 1/4 LI SD SEC 112.63FT, TH N 1DEG 37MIN W 745.17FT, TH N 89DEG 52MIN W 440.87FT, TH S 0DEG 5MIN E 47.5FT, TH N 89DEG 52MIN W PAR WITH E&W 1/4 LI SD SEC 65.4FT, TH S 31DEG 53MIN W 77.85FT, TH S 76DEG 21MIN W 26.9FT, TH N 83DEG 31MIN W 113.4FT TO ELY LI RR R-O-W, TH S 3DEG 23MIN W ALG ELY LI NYC RR R-O-W 638.5FT TO PL OF BEG. EXC COM 99.1FT E OF CEN 1/4 POST SD SEC 27, RNG TH N ALG ELY R-O-W LI NYC RR 638.5FT, TH S 83DEG 31MIN E 113.4FT, TH N 76DEG 21MIN E 26.9FT, TH N 31DEG 53MIN E 77.85FT, TH S 89DEG 52MIN E 65.4FT, TH N 0DEG 5MIN W 47.5FT, TH S 89DEG 52MIN E 91.45FT, TH S 1DEG 37MIN E 130.3FT, TH S 54DEG 48MIN E 23.77FT FOR PL OF BEG, TH S 81DEG 45MIN E 31.7FT, TH S 38DEG 37MIN E 58.53FT, TH S 80DEG 20MIN W 171.23FT, TH N 81DEG 45MIN W 74.29FT, TH N 8DEG 18MIN E 211.21FT TO PL OF BEG.

STATE OF MICHIGAN
COUNTY OF KALAMAZOO
RECORDED
OCT 26 7 51 AM '88

Interest and penalties as provided by the Charter of the City of Kalamazoo shall continue to accrue hereafter. No payment shall be made by the City Treasurer on account of any redeemed tax liability except upon delivery of this certificate or the production of satisfactory evidence of its loss and the furnishing of indemnity satisfactory to the City Treasurer.

This certificate and the lien of the City and liability for such taxes and/or assessments is redeemable at the office of the City Treasurer, within two years after the date of such sale, upon depositing therewith, for the use of the purchaser, the full amount of the assessment or tax for which such real estate was sold, all taxes assessed on such property for any previous years with interest and penalties thereon, and all costs and expenses incidental to the sale of such property, together with interest in the amount provided in Section 87 of the Charter of said City in addition thereto.

WITNESS

JACQUELINE D SMITH

WITNESS

EDNA R PEAK

DALE V. HARTGERINK

City Treasurer, City of Kalamazoo, CMFA

On this 21 day of OCTOBER, 1988, before me a Notary Public, personally appeared Dale V. Hartgerink, who subscribed the above certificate and assignment and did say that he was the Treasurer of the City of Kalamazoo and the said certificate and assignment was his free act and deed as such Treasurer, and that he executed the same pursuant to the Charter of the City of Kalamazoo.

DRAFTED BY DALE V. HARTGERINK, CMFA
241 W. SOUTH ST.
KALAMAZOO, MI 49007

Notary Public, MARY E WERTZ

Kalamazoo County, Michigan

My Commission expires: AUGUST 15, 1992

CITY OF KALAMAZOO, MICHIGAN

NO. 3114 CERTIFICATE OF SALE

STATE OF MICHIGAN)

County of Kalamazoo)

ss.

LIBER 1478 PAGE 1442

MARK D STUHLBREHER

I, ~~XXXXXXXXXX~~ City Treasurer of the City of Kalamazoo do hereby certify that I did, on the 15 day of OCTOBER, 1990, pursuant to Section 89 of the City of Kalamazoo, sell to the City of Kalamazoo, Michigan, by bid of the City Auditor, the lien of the City and the liability for taxes and/or assessments herein enumerated on the real estate herein described, and further sold and assigned and do hereby sell and assign to the City of Kalamazoo, Michigan, a municipal corporation organized and existing under the laws of the State of Michigan, 241 West South Street, Kalamazoo, Michigan, the lien of the City and liability for said taxes and/or assessments on the following described real estate located in the City and County of Kalamazoo, State of Michigan, to-wit:

DESCRIPTION OF REAL ESTATE

AMOUNT OF LIEN AND LIABILITY

0070420

1989 CITY \$ 5,867.71

9846 SECTION 27-2-11 COM AT CEN 1/4 POST SEC 27, TH S 89DEG 52MIN E ALG E&W 1/4 LI SD SEC 99.1FT TO A PT ON ELY LI NYC RR R-O-W FOR PL OF BEG, TH S 10DEG 37MIN E ALG ELY LI NYC RR R-O-W 619.05FT, TH S 13DEG 29MIN E ALG ELY LI SD R-O-W 475.02FT TO A JOG IN SD R-O-W, TH S 89DEG 24MIN E ALG SD JOG & IN CONTINUATION THEREOF 617.89FT, TH N 36DEG 37MIN W 867.63FT, TH N 5DEG 57MIN W 34.86FT, TH S 79DEG 31MIN E 83.84FT, TH N 0DEG 11MIN W 277.05FT, TH N 48DEG 39MIN E 60.49FT, TH S 85DEG 59MIN E 187.72FT, TH N 6DEG 18MIN W 54.96FT TO E&W 1/4 LI SD SEC, TH S 89DEG 52MIN E ALG E&W 1/4 LI SD SEC 112.63FT, TH N 1DEG 37MIN W 745.17FT, TH N 89DEG 52MIN W 440.87FT, TH S 0DEG 5MIN E 47.5FT, TH N 89DEG 52MIN W PAR WITH E&W 1/4 LI SD SEC 65.4FT, TH S 31DEG 53MIN W 77.85FT, TH S 76DEG 21MIN W 26.9FT, TH N 83DEG 31MIN W 113.4FT TO ELY LI RR R-O-W, TH S 3DEG 23MIN W ALG ELY LI NYC RR R-O-W 638.5FT TO PL OF BEG. EXC COM 99.1FT E OF CEN 1/4 POST SD SEC 27, RING TH N ALG ELY R-O-W LI NYC RR 638.5FT, TH S 83DEG 31MIN E 113.4FT, TH N 76DEG 21MIN E 26.9FT, TH N 31DEG 53MIN E 77.85FT, TH S 89DEG 52MIN E 65.4FT, TH N 0DEG 5MIN W 47.5FT, TH S 89DEG 52MIN E 91.45FT, TH S 1DEG 37MIN W 130.3FT, TH S 54DEG 48MIN E 23.77FT FOR PL OF BEG, TH S 81DEG 45MIN E 31.7FT, TH S 38DEG 37MIN E 58.53FT, TH S 8DEG 20MIN W 171.23FT, TH N 81DEG 45MIN W 74.29FT, TH N 8DEG 18MIN E 211.21FT TO PL OF BEG.

CLERK - REGISTER

90 OCT 26 AM 8 16

STATE OF MICHIGAN
COUNTY OF KALAMAZOO
RECEIVED FOR RECORD

Interest and penalties as provided by the Charter of the City of Kalamazoo shall continue to accrue hereafter. No payment shall be made by the City Treasurer on account of any redeemed tax liability except upon delivery of this certificate or the production of satisfactory evidence of its loss and the furnishing of indemnity satisfactory to the City Treasurer.

This certificate and the lien of the City and liability for such taxes and/or assessments is redeemable at the office of the City Treasurer, within two years after the date of such sale, upon depositing therewith, for the use of the purchaser, the full amount of the assessment or tax for which such real estate was sold, all taxes assessed on such property for any previous years with interest and penalties thereon, and all costs and expenses incidental to the sale of such property, together with interest in the amount provided in Section 87 of the Charter of said City in addition thereto.

WITNESS Priscilla K Dibble

PRISCILLA K DIBBLE

WITNESS Faith C Akert

FAITH C AKERT

Mark D Stuhlbreher
~~XXXXXXXXXX~~ MARK D STUHLBREHER
City Treasurer, City of Kalamazoo

On this 19 day of OCTOBER, 1990, before me a Notary Public, personally appeared MARK D STUHLBREHER, who subscribed the above certificate and assignment and did say that he was the Treasurer of the City of Kalamazoo and the said certificate and assignment was his free act and deed as such Treasurer, and that he executed the same pursuant to the Charter of the City of Kalamazoo.

DRAFTED BY MARK D STUHLBREHER
241 W. SOUTH ST.
KALAMAZOO, MI 49007

Edna R Peak
Notary Public EDNA R PEAK
Kalamazoo County, Michigan
My Commission expires: OCTOBER 19, 1993

CITY OF KALAMAZOO, MICHIGAN

NO. 303 CERTIFICATE OF SALE

STATE OF MICHIGAN

County of Kalamazoo

SS. LIDER 1530 PAGE 224

MARK D. STUHLREHER, City Treasurer of the City of Kalamazoo, do hereby certify that I did, on the 15 day of OCTOBER, 1991, pursuant to Section 89 of the City of Kalamazoo, sell to the City of Kalamazoo, Michigan, by bid of the City Auditor, the lien of the City and the liability for taxes and/or assessments herein enumerated on the real estate herein described, and further sold and assigned and do hereby sell and assign to the City of Kalamazoo, Michigan, a municipal corporation organized and existing under the laws of the State of Michigan, 241 West South Street, Kalamazoo, Michigan, the lien of the City and liability for said taxes and/or assessments on the following described real estate located in the City and County of Kalamazoo, State of Michigan, to-wit:

DESCRIPTION OF REAL ESTATE

AMOUNT OF LIEN AND LIABILITY

1990 CITY & 5,687.37

0070420

SECTION 27-2-11 COM AT CEN 1/4 POST SEC 27, TH
S 89 DEG 52 MIN E ALG E&W 1/4 LI SD SEC 99.1 FT TO A PT ON
ELY LI NYC RR R-O-W FOR PL OF BEG, TH S 10 DEG 37 MIN E ALG
ALG ELY LI NYC RR R-O-W 619.05 FT, TH S 13 DEG 29 MIN E ALG
ELY LI SD R-O-W 475.02 FT TO A JOG IN SD R-O-W, TH S 89 DEG
24 MIN E ALG SD JOG & IN CONTINUATION THEREOF 617.89 FT,
TH N 36 DEG 37 MIN W 867.63 FT, TH N 5 DEG 57 MIN W 34.86 FT,
TH S 79 DEG 31 MIN E 83.84 FT, TH N 0 DEG 11 MIN W 277.05 FT,
TH N 48 DEG 39 MIN E 60.49 FT, TH S 85 DEG 59 MIN E 187.72 FT,
TH N 6 DEG 18 MIN W 54.96 FT TO E&W 1/4 LI SD SEC, TH S
89 DEG 52 MIN E ALG E&W 1/4 LI SD SEC 112.63 FT, TH N 1 DEG
37 MIN W 745.17 FT, TH N 89 DEG 52 MIN W PAR WITH E&W 1/4
0 DEG 5 MIN E 47.5 FT, TH N 89 DEG 52 MIN W PAR WITH E&W 1/4
LI SD SEC 26.9 FT, TH N 83 DEG 31 MIN W 113.4 FT TO ELY LI RR
R-O-W, TH S 3 DEG 23 MIN W ALG ELY LI NYC RR R-O-W 638.5 FT,
TO PL OF BEG. EXC COM 99.1 FT E OF CEN 1/4 POST SD SEC
27, RNG TH N ALG ELY R-O-W LI NYC RR 638.5 FT, TH S 31 DEG
31 MIN E 113.4 FT, TH N 76 DEG 21 MIN E 26.9 FT, TH N 1 DEG
53 MIN E 77.85 FT, TH S 89 DEG 52 MIN E 65.4 FT, TH N 0 DEG
5 MIN W 47.5 FT, TH S 89 DEG 52 MIN E 91.45 FT, TH S 10 DEG
16 MIN E 130.3 FT, TH S 54 DEG 48 MIN E 23.77 FT FOR PL OF
BEG, TH S 81 DEG 45 MIN E 31.7 FT, TH S 38 DEG 37 MIN E 58.7
FT, TH S 8 DEG 20 MIN W 171.23 FT, TH N 81 DEG 45 MIN W 74.7
FT, TH N 8 DEG 18 MIN E 211.21 FT TO PL OF BEG.

CLERK-REGISTER

STATE OF MICHIGAN
COUNTY OF KALAMAZOO
RECEIVED FOR RECORD
91 NOV 18 AM 8 22

Interest and penalties as provided by the Charter of the City of Kalamazoo shall continue to accrue hereafter. No payment shall be made by the City Treasurer on account of any redeemed tax liability except upon delivery of this certificate or the production of satisfactory evidence of its loss and the furnishing of indemnity satisfactory to the City Treasurer.

This certificate and the lien of the City and liability for such taxes and/or assessments is redeemable at the office of the City Treasurer, within two years after the date of such sale, upon depositing therewith, for the use of the purchaser, the full amount of the assessment or tax for which such real estate was sold, all taxes assessed on such property for any previous years with interest and penalties thereon, and all costs and expenses incidental to the sale of such property, together with interest in the amount provided in Section 87 of the Charter of said City in addition thereto.

WITNESS

THERESA L PRUDE

WITNESS

FAITH C AKERT

XXXXXX
City Treasurer, City of Kalamazoo

MARK D. STUHLREHER

On this 19 day of OCTOBER, 1991, before me a Notary Public, personally appeared Debra R. Peak, who subscribed the above certificate and assignment and did say that he was the Treasurer of the City of Kalamazoo and the said certificate and assignment was his free act and deed as such Treasurer, and that he executed the same pursuant to the Charter of the City of Kalamazoo.

Edna R Peak
Notary Public EDNA R PEAK
Kalamazoo County, Michigan
My Commission expires: OCTOBER 19, 1993

DRAFTED BY MARK D. STUHLREHER
241 W. SOUTH ST.
KALAMAZOO, MI 49007

1124-183

LIS PENDENS
STATE OF MICHIGAN
CITY OF KALAMAZOO

NOTICE IS HEREBY GIVEN, That a proceeding has been instituted pursuant to Chapter 17 of the City Code of the City of Kalamazoo, as adopted by the City Commission of the City of Kalamazoo on the 6th day of June, 1977, for violation of the said Kalamazoo City Code, by the Building Official of the City of Kalamazoo, Michigan; and that the premises affected by the said proceeding at the time of filing this notice are situated in the City of Kalamazoo, County of Kalamazoo, State of Michigan and are described as follows to wit:

2403 S. Burdick St.

9846 Section 27-2-11 Com at Cen & Post Sec 27, Th RNG S 89DEG 52 MIN E Alg E & W & LI SD SEC, 99.1FT, TO A PT ON ELY LI NYC RR R-O-W FOR PL OF BEG, TH S 10DEG 37MIN E ALG ELY LI NYC RR R-O-W 619.05FT, TH S 13 DEG 29MIN E ALG ELY LI SD R-O-W 475.02FT TO A JOG IN SD R-O-W, TH S 89DEG 24MIN E ALG SD JOG & IN CONTINUATION THEREOF 617.89FT, TH N 36DEG 37MIN W 867.63FT, TH N SDEG 57MIN W 34.86FT, TH S 79DEG 41MIN E 83.84FT, TH N ODEG 11MIN W 277.05FT, TH N 48DEG 39MIN E 60.49FT, TH S 85DEG 59MIN E 187.72FT, TH N 6DEG 18MIN W 54.96FT TO E&W & LI SD SEC, TH S 89DEG 52MIN E ALG E&W & LI SD SEC, 112.63FT, TH N 10EG 37MIN W 501.47FT, TH N 89DEG 52MIN W 273.33FT, TH S 8DEG 20MIN W 121.23FT, TH N 81DEG 45MIN W 74.29FT, TH N 8DEG 18MIN E 188.78FT, TH N 54DEG 48MIN W 44FT, TH N 1DEG 16MIN W 140.88FT, TH N 89DEG 52MIN W PAR TO E&W & LI SD SEC, 71.45FT, TH S ODEG 5MIN E 45.5FT, TH N 89DEG 52MIN W PAR TO E&W & LI SD SEC, 65.4FT, TH S 31DEG 53MIN W 77.85FT, TH S 76DEG 21MIN W 26.9FT, TH N 83DEG 31MIN W 113.4FT TO ELY LI RR R-O-W, TH S 3DEG 23MIN W ALG ELY LI NYC RR R-O-W 638.5FT to BEG.

Redker-Young Holdings Ltd., c/o Mr. Bruce Carruthers
427 S. Capitol Ave., Lansing, MI

PLEASE TAKE NOTICE, That actions have been commenced for the demolition of on or more of the building located at 2403 S. Burdick St. in the City and County of Kalamazoo. Further information may be obtained from the Office of the City Attorney, Kalamazoo, Michigan.

TO: Register of Deeds, Kalamazoo County. Please index the above notice of proceeding pursuant to Chapter 17 of the Kalamazoo City Code.

CITY OF KALAMAZOO

BY:

Jerry A. VanDenBerg
Jerry A. VanDenBerg
Housing Inspections Sup.
Building Official

Dated: July 7, 1981

Jerry A. VanDenBerg
Prepared by Jerry A. VanDenBerg
241 W. South St., Kalamazoo, MI

LIS PENDENS
STATE OF MICHIGAN
CITY OF KALAMAZOO

1124-11 893

NOTICE IS HEREBY GIVEN, That a proceeding has been instituted pursuant to Chapter 9 of the City Code of the City of Kalamazoo, as adopted by the City Commission of the City of Kalamazoo on the 6th day of June, 1977, for violation of the said Kalamazoo City Code, by the Building Official of the City of Kalamazoo, Michigan; and that the premises affected by the said proceeding at the time of filing this notice are situated in the City of Kalamazoo, County of Kalamazoo, State of Michigan and are described as follows to wit:

2403 S. Burdick St.

9846 Section 27-2-11 Com at Cen & Post Sec 27, Th RMC S 89DEG 52 MIN E Alg E & W & LI SD SEC, 99.1FT, TO A PT ON ELY LI NYC RR R-O-W FOR PL OF BEG, TH S 10DEG 37MIN E ALG ELY LI NYC RR R-O-W 619.05FT, TH S 13 DEG 29MIN E ALG ELY LI SD R-O-W 475.02FT TO A JOG IN SD R-O-W, TH S 89DEG 24MIN E ALG SD JOG & IN CONTINUATION THEREOF 617.89FT, TH N 36DEG 37MIN W 867.63FT, TH N SDEG 57MIN W 34.86FT, TH S 79DEG 41MIN E 83.84FT, TH N ODEG 11MIN W 277.05FT, TH N 48DEG 39MIN E 60.49FT, TH S 85DEG 59MIN E 187.72FT, TH N 6DEG 18MIN W 54.96FT TO E&W & LI SD SEC, TH S 89DEG 52MIN E ALG E&W & LI SD SEC, 112.63FT, TH N 10EG 37MIN W 501.47FT, TH N 89DEG 52MIN W 273.33FT, TH S 8DEG 20MIN W 121.23FT, TH N 81DEG 45MIN W 74.29FT, TH N 8DEG 18MIN E 188.78FT, TH N 54DEG 48MIN W 44FT, TH N 1DEG 16MIN W 140.88FT, TH N 89DEG 52MIN W PAR TO E&W & LI SD SEC, 71.45FT, TH S ODEG 5MIN E 45.5FT, TH N 89DEG 52MIN W PAR TO E&W & LI SD SEC, 65.4FT, TH S 31DEG 53MIN W 77.85FT, TH S 76DEG 21MIN W 26.9FT, TH N 83DEG 31MIN W 113.4FT TO ELY LI RR R-O-W, TH S 3DEG 23MIN W ALG ELY LI NYC RR R-O-W 638.5FT to BEG.

Redker-Young Holdings Ltd., c/o Mr. Bruce Carruthers
427 S. Capitol Ave., Lansing, MI

STATE OF MICHIGAN
COUNTY OF KALAMAZOO
JUL 10 3 51 PM '81
RECEIVED

PLEASE TAKE NOTICE, That actions have been commenced for the demolition of one or more of the building located at 2403 S. Burdick St. in the City and County of Kalamazoo. Further information may be obtained from the Office of the City Attorney, Kalamazoo, Michigan.

TO: Register of Deeds, Kalamazoo County. Please index the above notice of proceeding pursuant to Chapter 17 of the Kalamazoo City Code.

CITY OF KALAMAZOO

BY:

Jerry A. VanDenberg
Housing Inspections Sup.
Building Official

Dated: July 7, 1981

Prepared By Jerry A. VanDenberg
2403 S. Burdick St., Kalamazoo, MI

Jerry A. VanDenberg

LIS PENDENS
STATE OF MICHIGAN
CITY OF KALAMAZOO

1156 811

NOTICE IS HEREBY GIVEN, That a proceeding has been instituted pursuant to Chapter 17 of the City Code of the City of Kalamazoo, as adopted by the City Commission of the City of Kalamazoo on the 6th day of June, 1977, for violation of the said Kalamazoo City Code, by the Building Official of the City of Kalamazoo, Michigan; and that the premises affected by the said proceeding at the time of filing this notice are situated in the City of Kalamazoo, County of Kalamazoo, State of Michigan and are described as follows, to wit:

2403 S. Burdick Street

Section 27-2-11 Com at Cen $\frac{1}{4}$ Post Sec 27, Th RNG S 89 Deg 52 Min E Alg E & W $\frac{1}{4}$ Li Sd Sec, 99.1 Ft, to a Pt on Ely Li NYC RR R-O-W for Pl of Beg, Th S 10 Deg 37 Min E Alg Ely Li NYC RR R-O-W 619.05 Ft, Th S 13 Deg 29 Min E Alg Ely Li Sd R-O-W 475.02 Ft to a Jog in Sd R-O-W, Th S 89 Deg 24 Min E Alg Sd Jog & in Continuation Thereof 617.89 Ft, Th N 36 Deg 37 Min W 867.63 Ft, Th N 5 Deg 57 Min W 34.86 Ft, Th S 79 Deg 31 Min E 83.84 Ft, Th N 0 Deg 11 Min W 277.05 Ft, Th N 48 Deg 39 Min E 60.49 Ft, Th S 85 Deg 59 Min E 187.72 Ft, Th N 6 Deg 18 Min W 54.96 Ft to E & W $\frac{1}{4}$ Li Sd Sec, Th S 89 Deg 52 Min E Alg E & W $\frac{1}{4}$ Li Sd Sec, 112.63 Ft, Th N 10 Deg 37 Min W 501.47 Ft, Th N 89 Deg 52 Min W 273.33 Ft, Th S 8 Deg 20 Min W 121.23 Ft, Th N 81 Deg 45 Min W 74.29 Ft, Th N 8 Deg 18 Min E 188.78 Ft, Th N 54 Deg 48 Min W 44 Ft, Th N 1 Deg 16 Min W 140.88 Ft, Th N 89 Deg 52 Min W Par to E & W $\frac{1}{4}$ Line Sd Sec, 71.45 Ft, Th S 0 Deg 5 Min E 45.5 Ft, Th N 89 Deg 52 Min W Par to E & W $\frac{1}{4}$ Line Sd Sec, 65.4 Ft, Th S 31 Deg 53 Min W 77.85 Ft, Th S 76 Deg 21 Min W 26.9 Ft, Th N 83 Deg W 113.4 Ft to Fly Line RR R-O-W, Th S 3 Deg 23 Min W Alg Ely Line NYC RR R-O-W 638.5 Ft to Beg.
Joseph Cekola, 9039 West End Drive, Portage, Michigan 49081

132 Reed Street

Int'ing Plat Lot 13
James M. Jokol, Lawrence Truax, Jr., 2076 East B Avenue, Plainwell, Michigan 49080

701 W. Walnut Street

Welch's Addition E 39 Ft of N 66 Ft of Lot 412
Derek Cook & Albert Hartman, 509 Gregory, Apt. #3-B, Glendale Heights, Illinois 60137

TO: Register of Deeds, Kalamazoo County. Please index the above notice of proceeding pursuant to Chapter 17 of the Kalamazoo City Code.

CITY OF KALAMAZOO

Dated: November 22, 1982

Prepared by Jerry A. VanDenBerg
241 W. South St., Kalamazoo, MI

BY:

Jerry A. VanDenBerg
Housing Inspections Sup.
Building Official

RECEIVED

DEC 2 2 56 PM '82

STATE OF MICHIGAN
COUNTY OF KALAMAZOO
REGISTER OF DEEDS

1531 PG1021

RETURN TO:

John Stoddart
 US Sprint Communications Company
 9350 Metcalf Avenue
 Mailstop: KSOPKC0801
 Overland Park, KS 66212

STATE OF KANSAS
 DEPT. OF REVENUE
 DIVISION OF TAXES

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Processing Data Above

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MEMORANDUM OF AGREEMENT

CLERK-REGISTER

THIS MEMORANDUM OF AGREEMENT, made as of the 10th day of September, 1991, by Consolidated Rail Corporation, "Licensor", with offices at 6 Penn Center Plaza, Philadelphia, PA 19103, and US Sprint Communications Company Limited Partnership, "Licensee", with offices at 9350 Metcalf Avenue, Overland Park, KS 66212:

WITNESSETH, that Licensor and United Telecommunications, Inc. entered into a License Agreement dated as of August 10, 1984, as amended on December 23, 1988 to reflect a transfer of rights from United Telecommunications, Inc., to Licensee (hereinafter called "License Agreement"), whereby Licensor has granted to Licensee the right to **construct, install, operate, maintain, and repair** a fiber optic communication system, ("Communication System") including fiber optic cable, repeater stations, associated electronics, and necessary facilities or equipment on the property of the Licensor under the terms, provisions, and conditions contained in said License Agreement for an **initial term of fifteen (15) years, and an option to renew for two (2) terms of fifteen (15) years**, each as described therein.

NOW THEREFORE, for and in consideration of the License Fee specified in the License Agreement and for other good and valuable consideration, Licensor by these presents does hereby affirm its grant to Licensee of the right to **construct, install, operate, maintain, and repair**, a Communication System including fiber optic cable, repeater stations, associated electronics and facilities or equipment necessary and incidental to such use, in the locations situated in the County of Kalamazoo, State of Michigan, at Mile Post 40.7 ± in the Township of Schoolcraft to Mile Post 63.8 ± in the Township of Cooper as shown on Exhibit A, attached hereto and by this reference made a part hereof, and reasonable ingress and egress to and from the location of the Communication System for the purpose of constructing, installing, operating, maintaining and repairing the Communication System;

The provisions set forth in the written License Agreement between the parties dated as of the 10th day of August, 1984 as amended, are hereby incorporated in this Memorandum.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed by their duly appointed officers.

CONSOLIDATED RAIL CORPORATION

By:

Richard D. Huffman

Title: Senior Director,
 Resource Administration

Witness:

J. R. Pluff

US SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP

By:

James B. Farris

Title: Director, Contract and Real Property
 Administration

Witness: 1 50004

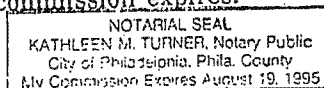
LIBLS 1531 F61022

STATE OF PENNSYLVANIA)
)
 COUNTY OF PHILADELPHIA) SS

Before me, a Notary Public, in and for said County, personally appeared, Richard D. Huffman, known to me to be the person who is Senior Director, Resource Administration, of Consolidated Rail Corporation the corporation which executed the foregoing instrument as "Licensor" who signed the same, and acknowledged to me that he executed said instrument in the name and upon behalf of said corporation as such officer; that the same is his free act and deed as such officer, and the free and corporate act and deed of said corporation, and within his authority delegated by the Board of Directors.

In testimony whereof, I have hereunto subscribed by name, and affixed my official seal at Philadelphia, Pennsylvania, this 28th day of October, 1991.

Kathleen M. Turner
 NOTARY PUBLIC
 My commission expires:

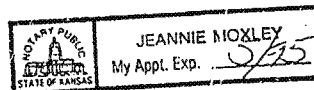


STATE OF KANSAS)
)
 COUNTY OF JOHNSON) SS

Before me, a Notary Public, in and for said County, personally appeared, James B. Farris, known to me to be the person who is Director, Contract and Real Property Administration, of US Sprint Communications Company Limited Partnership which executed the foregoing instrument as "Licensee", who signed the same, and acknowledged to me that he executed said instrument in the name and upon behalf of said as such officer; that the same is his free act and deed as such Director, and the free act and deed of said partnership and within his authority delegated by the Board of Directors.

In testimony whereof, I have hereunto subscribed by name, and affixed my official seal at Overland Park, Kansas, this 10 day of September, 1991.

Jeannie Moxley
 NOTARY PUBLIC
 My commission expires:



This instrument prepared by:
 US Sprint Communications Company
 Contract and Real Property Administration
 9350 Metcalf Avenue
 Overland Park, KS 66212
 John Stoddart

LINES 1531 PG1023

EXHIBIT A

A strip of land of varying width, constituting a Fiber Optic Cable Route lying within and along the right of way of the Consolidated Rail Corporation, as said right of way extends from Mile Post 40.7 \pm at the junction of Conrail's Kalamazoo Railroad Line and the Grand Trunk Western Railroad in the Community of Schoolcraft, Kalamazoo County, State of Michigan and continues in a general Northerly direction to its terminus at the Northern line of said Kalamazoo County, as depicted in the attached plat and more particularly described as traversing the following Sections, Townships, and Ranges to wit:

Kalamazoo County, State of Michigan

Township 4 South, Range 11 West (M.P. 40.7 \pm to M.P. 44.2 \pm),
 NE 1/4 of Section 19,
 SE 1/4 and the NE 1/4 of Section 18,
 SE 1/4 and the NE 1/4 of Section 7,
 SE 1/4 of Section 6,
 SW 1/4 and the NW 1/4 and the NE 1/4 of Section 5;

Township 3 South, Range 11 West (M.P. 44.2 \pm to M.P. 50.8 \pm),
 SE 1/4 and the NE 1/4 of Section 32,
 SE 1/4 of Section 29,
 SW 1/4 and the NW 1/4 of Section 28,
 SW 1/4 and the SE 1/4 and the NE 1/4 of Section 21,
 SE 1/4 of Section 16,
 SW 1/4 and the NW 1/4 of Section 15,
 Section 10,
 Section 3;

Township 25 South, Range 11 West (M.P. 50.8 \pm to M.P. 57.2 \pm),
 SE 1/4 and the NE 1/4 of Section 34,
 SE 1/4 and the NE 1/4 of Section 27,
 SE 1/4 and the NE 1/4 of Section 22,
 SE 1/4 and the NE 1/4 and the NW 1/4 of Section 15,
 SW 1/4 and the NW 1/4 and the NE 1/4 of Section 10,
 SW 1/4 and the NW 1/4 of Section 3;

Township 1 South, Range 11 West (M.P. 57.2 \pm to M.P. 63.8 \pm),
 SW 1/4 and the NW 1/4 and the NE 1/4 of Section 34,
 SE 1/4 and the NE 1/4 of Section 27,
 SE 1/4 and the NE 1/4 and the NW 1/4 of Section 22,
 SW 1/4 and the NW 1/4 of Section 15,
 SW 1/4 of Section 10,
 SE 1/4 and the NE 1/4 of Section 9,
 SE 1/4 and the SW 1/4 and the NW 1/4 of Section 4,
 NE 1/4 of Section 5.



US SPRINT FIBER OPTIC CABLE ROUTE			
COUNTY	Kalamazoo	OWNER OF R/W	Consolidated Rail Corp.
STATE	Michigan	SCALE	None
GEN. HWY MAP	Kalamazoo County	KEY	---+---+--- Railroad Track
		DATE	10/15/91